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have to be kept in the custody of the Committee officers for a long time before they were produced before the Magistrate, as the latter might often be out of head-quarters. If they were not so produced within a short time, the owners were certain to plead that the articles were sound when taken from them and claim compensation in almost all cases. The Member thought that the present arrangement would thus act as a heavy drain on the Town Fund, which in most cases was but a nominal amount. He therefore requested that the power conferred on the Magistrate might be transferred to the President. In most of the Committees, the President was the Medical officer and could thus act efficiently. Even in the case of the other Committees, the Medical officer or the Sanitary officer of the District was invariably a Member and the President would have no difficulty in taking the needful action under the section in consultation with such officers.

Dewan's reply.—The suggestions for amending the Regulation are noted. The difficulties pointed out by the Members in the working of Section 8 of Regulation II of 1088 appear to be real. The matter will receive attention.

37. Amendment of the Breach of Contract Regulation and the undesirability of any addition to the existing labour laws.

Mr. A. J. Wright (Member, the Kanan Devan Planters' Association) said that, since the subject was notified, he understood that the Government had decided upon amending the existing Breach of Contract Regulation, II of 1080. He would therefore confine himself to the form of the amendment. Section 4 prescribed a limit of three months within which prosecution should be started against a defaulting contractor. The intention of the Government was generally understood to be that the period should run from the termination of the contract. But a Full Bench of the High Court interpreted it otherwise and it had been ruled that the period should be calculated from the *first* breach of the contract. Every contractor had to provide labour by a certain date and provide a certain number of coolies. The term of the contract in the district was usually nine months. If therefore he defaulted in either of the two things in any the smallest particular, he might be held to have committed a breach, and unless proceedings were taken against him within three months from that date, the omission might be held to bar any action against the contractor for a subsequent breach of a serious nature. The Planters did not like to face the position of prosecuting every one of their contractors, to which they were likely to be driven by the section, but their tendency was to avoid criminal prosecutions, if possibly they could. The best amendment would therefore be to make the period of three months run from the termination of the contract. If that was not practicable, the Member suggested, as an alternative measure, that a proviso be added to the following effect, *viz.*, "provided that, if the contractor, having defaulted by failing to commence work on the proper date or by failing to supply the proper number of coolies, subsequently ratifies his contract with the consent of his employer, he shall be considered to have legally ratified it and shall be liable to prosecution for any subsequent default, even though three months have elapsed since his first default."

Proceeding to the question of the undesirability of any addition to the labour laws, the Member said that his

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Association had a cultivated area of 21,915 acres, on which about 20,000 coolies were employed. The peculiar position of the district, unlike other places in Travancore, was that the whole of the labour force was recruited from British India. The Association had been for years considering the question and also studying the working of fresh legislation in other districts; and they rather feared the effects of it. The Madras Labour Act, I of 1903, had the peculiarity of being *optional*, and from the way it had worked in the districts where it was introduced, the Association were of the decided view that they were better off as they were. The coolies being a conservative class, the law had the effect of frightening away a certain amount of labor. The least degree of fear was enough to spoil the situation. He therefore said that it was undesirable to add to the existing labor laws.

Dewan.—How do the Members in the other Planting districts feel in the matter?

Mr. Cook.—I think we do require some kind of legislation. The Kanan Devan Planters' District is at one end of the country. I do not know what the other Associations think about the matter; but speaking for myself, I believe that we ought to have legislation. If the question is not one of urgency now, it will become so very soon. In the district where I am, we do not find much difficulty in getting labour.

Dewan.—What about the effect of fresh legislation in frightening the coolies?

Mr. Cook.—I do not see why the coolies should be frightened. We really want legislation against each other. At present, if a cooly takes tea from our factory, we try to have him prosecuted. What he does is he runs away to another district.

Mr. Westaway.—My opinion is the same as Mr. Cook's. I have no instructions from my Association, but I think legislation is necessary in our side of the country. The Kanan Devan Planters' Association is very uniquely situated. They are all by themselves. In our place, if a cooly bolts away, there is no means of recovering his debts except civilly.

Dewan.—Even if we have fresh legislation, it will, I take it, only be optional as elsewhere. In that case, it will not apply to Mr. Wright's district, if it is not wanted there.

Mr. Westaway.—We want the Regulation throughout the State. The Kanan Devan Planters do not employ any of the Malayali coolies. They find their labour from British India.

Dewan's reply.—Noted.

38. The need for amending the Court Fees Regulation.

Mr. Kochukunju Kurup (Member, Kunnathur taluk) dwelt at length on the hardships experienced by the people on account of the recent Court Fees Regulation. If the Government were of opinion that the Regulation had reduced the number of frivolous prosecutions and unnecessary complaints, he said that the difficulties experienced by the poor people in representing their real grievances had multiplied themselves out of all proportion to the advantage gained. In the field of

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